



**THE CITY OF NEW YORK
LAW DEPARTMENT**

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January 28, 2022

BY ECF

Hon. Ronnie Abrams
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Michael Perry v. City of New York*, 21-cv-4163 (RA) (RWL)

Dear Judge Abrams:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel of the City of New York, attorney for Defendant City of New York in the above-referenced case, in which the parties have reached a settlement agreement. Specifically, Plaintiff has executed all of the settlement paperwork sent to him by this office – including a general release – with the exception of the Stipulation of Settlement (“Stipulation”). Accordingly, I write to respectfully request that the Court: (1) issue an order directing the Plaintiff to sign the Stipulation and return it to this office by a date certain; and (2) grant a one-week extension of time from the date that Defendant receives the executed Stipulation from Plaintiff to file it with the Court. This is the second request for an extension of time to file the Stipulation. Because Plaintiff is proceeding *pro se* and incarcerated, the instant request for an extension is made directly to the Court.

By Order dated January 6, 2022, the Court granted Defendant’s first request for an extension of time, until February 1, 2022, to file the Stipulation. By letters dated December 1, 2021 and January 11, 2022, Defendant sent to Plaintiff the settlement paperwork for Plaintiff to execute and return to this office. By letter dated December 10, 2021, Plaintiff returned to this office all of the executed settlement paperwork, including the general release, with the exception of the Stipulation. To date, Plaintiff has not provided this office with the executed Stipulation.

Defendant, therefore, respectfully requests that the Court: (1) issue an order directing the Plaintiff to sign the Stipulation of Settlement and return it to this office by a date certain; and (2) grant a one-week extension of time from the date that Defendant receives the executed Stipulation to file it with the Court.

Thank you for your consideration of this request.

Respectfully submitted,

/s/

Philip Frank
Assistant Corporation Counsel

cc: **By Mail**
Michael Perry
Reg. No. 92274053
Metropolitan Detention Center
80-29th Street
Brooklyn, NY 11232

Application granted.

If Plaintiff Michael Perry still wishes to sign the stipulation, he shall do so by March 4, 2022. Given that some orders have been returned to the Court by MDC, Defendants may wish to confirm Mr. Perry's receipt and possession of the unsigned page, or to resend it.

If Defendants receive a signed stipulation, they shall file it with the Court within one week.

The Clerk of Court is respectfully requested to send a copy of this order by certified mail to Mr. Perry.

SO ORDERED.

A handwritten signature in blue ink, appearing to be 'RA', is written over a horizontal line.

Hon. Ronnie Abrams
01/31/22